March 19, 2020 Planning Commission Meeting Postponed

Due to the extenuating circumstances of the coronavirus pandemic, the Planning Commission meeting schedule for this Thursday, March 19, 2020 has been canceled and will be rescheduled at our earliest convenience. The agenda included three warned hearings: 1. A petitioned Amendment to the Land Use Regulations as per 24 V.S.A. 4441(c). The proposed amendment to the Land Use Regulations changes the "Parking, Loading, & Service Areas" Standards for Site Plan Review; 2. Bullrock-Moses – Site Plan Review for the property located at 735 Ferry Road; and 3. Pete – Two-lot Subdivision for the property located at 730 Whalley Road.

This cancelation is regrettable in light of the effort put forth by the applicants, but necessary in order to follow guidelines established regarding the coronavirus pandemic. Open meeting law protects the right of access to every member of the public and due to the current situation, it is not possible to ensure access to the public either physically or electronically.

In response to questions from municipalities regarding the Open Meeting Law and the coronavirus pandemic, the Vermont League of Cities and Towns states the following: “Must the public be allowed to attend our meetings? Yes, under the Open Meeting Law, “(a)ll meetings of a public body are declared to be open to the public at all times." 1 V.S.A. § 312(a)(1).” The VLCT goes on to say: “Must the public be able to participate in (not just attend) an electronic meeting? The law says that “members” of a public body must be able to hear and be heard throughout the meeting but doesn’t explicitly address public attendees. However, we think in order to have gainful participation in public meeting, the same standard should be applied to public attendees. In other words, the public body should set up their electronic meeting in such a way that enables all public attendees to hear and be heard throughout the meeting.”

The Planning Commission regrets the need to postpone these hearings but does so out of health and safety first and second, out of respect for the applicants and public so that a proper public hearing can be facilitated that enables the applicants and public to participate and be heard.

Peter Joslin,
Chair,
Charlotte Planning Commission